

Pit River Tribal Comments

Draft 2012 Proposition 84 and 1E (IRWM implementation and Stormwater grant) Guidelines

- a. Top of Page 13, Tribal Consultation, cooperation and access are identified as a priority.

Participation in the Upper Sacramento and Upper Pit River IRWM processes has presented a number of issues for Tribes related to meaningful involvement in IRWM planning for sovereign ancestral territory.

- Federal, State and local government agencies have a duty to understand Tribal Sovereignty.
 - ❖ Structured governance that meaningfully understands and represents Tribal water issues and concerns is lacking.
 - ❖ Upper Sacramento River IRWM stakeholders including facilitators have (recognized the need for), made request for group education on the laws and regulations that govern Tribal Sovereignty.
 - ❖ There are elevated levels of mistrust among Tribal governments as meaningful consultation isn't taking place, and trust responsibilities aren't being fulfilled.
- Water Rights have been stated as an area not covered by the IRWMP process; although community districts, and commercial timber interests, clearly assert water rights through the process. Tribal water rights aren't equally represented or acknowledged.
 - ❖ Federal agencies with trust responsibilities to maintain water rights should be brought to the table.
 - ❖ Tribal consultation, planning and decision making, efforts for water planning by the state, should be combined to involve federal agencies and applicable laws related to, Tribal sovereignty and water rights.
- IRWMP content should reflect:
 - ❖ Tribal history
 - ❖ accurate depictions of Pit River Tribal historic and current watershed conditions
 - ❖ environmental justice issues related to water and traditional lifeway's
 - ❖ scientifically valid data should be used to highlight causational relationships between land management practices and impacts to water quality and quantity and included where applicable within the IRWMP document.
 - ❖ issues related to resource extraction and other degrading land use practices

- b. Top of page 16, (exceptions) this could benefit Tribes or Tribal communities that can be characterized as DACs - where a proposed project that directly addresses critical water supply or

water quality for a DAC can be funded if consistent with the objectives of the associated IRWM Plan. (See also, Page 26 (K) which waives the match requirements for DAC projects.)

- Tribal entities should be given priority considerations when evaluated as DAC status for project funding consideration. Tribal entities face competition with regional DAC for IRWMP funding.
- Demographic and land base data presented for Tribes is not complete or entirely representative. More detailed analysis would provide effective collaboration and planning.

- c. Page 19, IV, General Program Requirements (A) IRWM Plan Standards, (2) Region Description: Striking the parens “(if applicable)” after "Describe efforts to effectively involve and collaborate with Tribal government representatives to better sustain Tribal and regional water and natural resources," is more consistent with the DAC guidelines which do not have an (if applicable) caveat.

- Striking parens “(if applicable)”,
- Striking parens “(proposed)”, to read, “current, future and proposed”

- d. Page 20, IV, General Program Requirements (A) IRWM Plan Standards, (6) Project Review Process has reference to “Specific Benefits to DAC water issues” and “Environmental Justice Issues”. Does there need to be a bullet that addresses “Tribal Considerations”.

- Environmental Justice (EJ) considerations should address tribal considerations

